



# Town Council Agenda Report

**SUBJECT:** Ordinance

**CONTACT PERSON/NUMBER:** Mark A. Kutney, AICP/(954) 797-1101

**TITLE OF AGENDA ITEM:** AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-208, ENTITLED "REQUIREMENTS FOR OFF-STREET PARKING," AND SECTION 12-210, ENTITLED "USE OF REQUIRED OFF-STREET PARKING BY ANOTHER BUILDING," TO REVISE THE PARKING RATIO REQUIREMENTS FOR SELECTED USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The proposed changes to the Land Development Code, to revise parking ratios for select uses, is based on staff research and indication from Council that these ratios need to be revisited. A survey was conducted of surrounding municipalities, as well as reports from Planning Advisory Services and Urban Land Institute, to determine the parking ratios which best suit the existing and future developments of the Town. A major rewriting of the entire parking section is anticipated for the near future. This proposal addresses several of the uses from which variances are most frequently requested.

**PREVIOUS ACTION:** The Town Council approved this item, on first reading, subject to the Planning and Zoning Board concurrences for Day Spa and Home Improvement parking ratios (motion carried 5-0, November 15, 2000). The Town Council tabled this item to the November 15, 2000 meeting (motion carried 5-0, November 1, 2000).

**CONCURRENCES:** The Planning and Zoning Board reviewed this item as separate uses and had the following recommendations:

- Game Room, Arcade, Pool Hall; Commerce Center; Hotels; Manufacturing, Wholesale Warehousing, Distribution Center, and Industrial Uses; Child care, Day Nursery, Kindergarten, Preschool; Office; Research and Development; Restaurants (General, Specialty); Retail; Shopping Centers; and Shared Parking were all recommended for approval as recommended by staff.
- Beauty Salon was recommended, by a vote of 4-0, to be revised to require three (3) parking spaces for each chair and/or customer service station.
- Day Spa was recommended by a vote of 3-1 (Ms. Moore dissenting) to be revised to require one (1) parking space for each 125 square feet.
- Home Improvement was recommended by a vote of 3-1 (Ms. Moore dissenting) to be revised to require one (1) parking space for each 200 square feet.
- In conclusion, the Planning and Zoning Board, on a vote of 3-1 (Ms. Moore dissenting), voted to require that for any decrease in parking lot requirements there be an equal increase in green space.

**FISCAL IMPACT:** None.

**RECOMMENDATION(S):** Motion to approve Ordinance.

**Attachment(s):** Ordinance and Staff Report

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-208, ENTITLED "REQUIREMENTS FOR OFF-STREET PARKING," AND SECTION 12-210, ENTITLED "USE OF REQUIRED OFF-STREET PARKING BY ANOTHER BUILDING," TO REVISE THE PARKING RATIO REQUIREMENTS FOR SELECTED USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie encourages the efficient and orderly development of commercial and industrial properties; and

WHEREAS, the proposed parking ratios are intended to provide adequate on-site parking, eliminating excess parking spaces, allowing for less asphalt upon the landscape ; and,

WHEREAS, the proposed parking ratios are comparable to most municipalities in Broward County and represent a more realistic parking ratio based on new trends in parking patterns.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That Section 12-208, Requirements for off-street parking," of the Town Code is hereby amended as follows:

(A) Minimum Requirements.

...(3) Child care center, day nursery, kindergarten, preschool. ~~One (1) space for each two hundred (200) square feet of gross floor area.~~ One (1) space for each 5 children based on licensed child care capacity plus 1 space per 300 square feet of office area. In addition, a minimum of three stacking spaces shall be provided adjacent to the front entrance....

...(5a) ~~Commerce Center.~~ Flexible space office/warehouse developments. One (1) space for each four hundred and fifty (450) square feet of gross floor area. For developments over 400,000 square feet in floor area and constructed prior to November, 2000, ~~One one (1) space for each five hundred and forty (540) square feet of gross floor area. for centers with more than four hundred thousand (400,000) square feet of gross floor area. For centers with less than four hundred thousand (400,000) square feet of gross floor area, parking shall be calculated according to the uses contained therein.~~ Developments qualifying for this use shall contain a multiple-tenant mix of offices and active or passive warehouses within any

given building, and may contain research and development uses, with office comprising not more than fifty percent (50%) of the gross floor area of the development. Principal retail and food service uses comprising more than five percent (5%) of the gross floor area of the development shall be calculated separately. ....

...(9) Game room, amusement arcade, pool hall. One (1) space for each two hundred (200) fifty (50) square feet of gross floor area....

...(14) Manufacturing, wholesale warehousing, distribution centers, fabrication and industrial uses. One (1) space for each six hundred (600) three hundred (300) square feet of floor area of the building plus one (1) space for each three hundred (300) square feet of office use. ...

...(15) Medical, dental, chiropractic, etc. clinic; One space for each two hundred (200) square feet of gross floor area.

~~(a) Separate Building with no In-Patient Facilities: One (1) space for each one hundred twenty five (125) square feet of gross floor area;~~

~~(b) Within an Office Building or Shopping Center: One (1) space for each two hundred (200) square feet of gross floor area....~~

...(17) Motels, ~~maximum twenty five (25) units;~~ tourist homes one (1) space for each guest room plus one (1) space for each two hundred (200) square feet of office area plus parking as required for accessory uses...

...(18) ~~Motels, more than twenty five units;~~ Hotels. One (1) space for each two (2) guest rooms, ~~plus one (1) space for each ten rooms, or fraction thereof, for employee parking,~~ plus one (1) space for each three (3) persons to the maximum designed capacity of each public meeting room, plus, one-half (1/2) the requirements for accessory uses, such as restaurants and bars...

...(22) Offices, business, profession, governmental, financial institutions and commercial bank, Telemarketing centers. One (1) space for each ~~two hundred (200)~~ three hundred (300) square feet of gross floor area. Telemarketing centers shall be one (1) space for each one hundred (100) square feet of gross floor area....

...(28) Restaurants (general, speciality). One (1) space for each ~~fifty (50)~~ eighty (80) square feet of dining area. ~~and one (1) space for each two hundred (200) square feet of non-dining service area....~~For the purpose of this section, restaurants that serve beer and or liquors having more than 10% of the seating around a bar shall adhere to the parking requirements for bar, etc.

...(29) Retail stores, personal service shops, household repair or equipment shops, interior decoration shops, gift and card shops, grocery stores. ~~Use following scale:~~ One (1) space for each two-hundred and fifty (250) square feet of gross floor area.

(a) Shopping Centers.

(1) Up to 50,000 square feet, then uses per code.

(2) 50,000 square feet to 400,000 square feet, then one (1) space for each two hundred and twenty five (225) square feet of gross floor area (allowing up to 10% office and 5% restaurants/bars)

(3) 400,000 to 600,000 square feet of gross floor area, then one (1) space for each two hundred and seventy-five (275) square feet of gross floor area (allowing up to 10% office and 5% restaurants/bars).

(4) Greater than 600,000 square feet, then one (1) space for each three hundred and twenty-five (325) square feet of gross floor area (allowing up to 10% office and 5% restaurants/bars)....

(b) Parking spaces identified as valet parking, for a fee, shall not be used toward the required number of parking spaces.

...(37) Warehouses (long-term), self-storage facilities, and storage buildings having no other use, and in which no business of any type is conducted. One (1) space for every one thousand (1,000) ~~six hundred (600)~~ square feet for warehouses and storage buildings and one (1) space for every two thousand (2,000) square feet of self-storage facilities area. Long-term storage, as indicated, on a site plan, may be considered an accessory to an industrial use at the discretion of the Development Services Director....

...(38) Wholesale stores. Home Improvement, Wholesale Clubs. One (1) space for each two hundred (200) ~~three hundred (300)~~ square feet of gross floor area...

...(40) Research and Development. One (1) space for each three hundred (300) square feet of gross floor area devoted to Research and one (1) space for each six hundred (600) square feet devoted to Development, as indicated on an approved site plan...

...(41) Beauty salons, Day spas, Beauty salons and/or similar types of uses shall be a five (5) spaces for each licensed stylist or similar. Day spas shall be one (1) space for each one hundred and twenty-five (125) square feet of gross floor area devoted to such use...

...12-210 Shared Parking. Use of required off street parking by another building.  
Recognizing that certain combination of uses required less parking then traditional parking ratios based on off-peak hour parking, an applicant may submit a request to allow staff to analyze the validity of such request, based on the following two options:

(1) A petitioner shall submit a formal request, "Parking Study" to be reviewed by the Development Services Director and indicate tenant uses, square footage, the required parking per code, and ratio used, and hours of operation. The total parking, uses utilizing shared parking, overlap hours of operation, and the requested reduced number of spaces are to be included. Upon approval, the shared parking study submitted to the Town shall be in the form of a restrictive covenant and recorded by the Town Clerk. Recordation costs are to be reimbursed by the applicant. The Covenant will provide that the Town may collect costs and attorney fees, if litigation is necessary to enforce them.

(2) A Parking Study may also provide alternative parking ratios for specific uses based on the unique characteristics of the site and/or use. Such alternative parking ratios shall be presented to the Development Services Director, in the manner as stated above, and shall provide verifiable documentation of the appropriateness of the ratios.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000

PASSED ON SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2000

ATTEST:

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000